

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 NW/S Belair Road, 157.3 ft. SW
 of c/l Wholesale Club Drive * ZONING COMMISSIONER
 8200 Belair Road
 14th Election District * OF BALTIMORE COUNTY
 6th Councilmanic District
 Linda Sanders, Project Manager * Case No. 95-116-A
 Sears Homelife Furniture
 Store, Petitioner *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 8200 Belair Road in the Whitmarsh section of Baltimore County. The Petition is filed by Linda Sanders, Project Manager, on behalf of Sears Merchandise Group Dept., a division of the giant retailer, Sears Roebuck and Company. Variance relief is requested from Section 413.2.F of the Baltimore County Zoning Regulations (BCZR) to permit a free standing double face sign with a total area of 144 sq. ft. (72 sq. ft. per face) in lieu of the maximum required 100 sq. ft. The requested relief is more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the requisite public hearing held for this case were Thomas S. Stacey and Edward R. Agustin, on behalf of the Petitioner. Also present was David S. Thaler, a principal in D.S. Thaler and Assoc., the engineers/architects/planners who prepared the site plan. The Petitioner was represented by Jane E. Sheehan, Esquire. There were no Protestants present.

Testimony and evidence offered by Mr. Agustin was that the subject property is to be the site of a proposed one story retail store to be known as Sears Homelife Furniture. The "Homelife" concept is a new marketing strategy of the Sears, Roebuck and Company. Traditionally, Sears, Roebuck and Company offered retail centers which sold a vast variety of

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 Date 11/22/94
 By M. Gersh

MICROFILMED

goods, from hardware, to clothing, to furniture. To meet today's demanding market place, Sears is developing new stores which will specialize in a particular line of product. One type of store proposed is the Sears Homelife Store. This will be a furniture store and will be marketed in a manner different than the traditional Sears store.

Mr. Agustin also testified that the present store is under construction and it is hoped that the operation will begin by the end of this year. The acquisition of the property, construction of the store and other expenditures related therewith represent a significant investment in Baltimore County.

Also testifying was Thomas Stacey. He testified extensively as to the image which Sears hopes to project through the Homelife outlet. He described in particularity the proposed sign and features of the building, all of which are shown on the site plan.

Also testifying was David S. Thaler, an engineer who assisted in the preparation of the site plan. He described the property as encompassing approximately 4.31 acres and is zoned B.M. He also noted that the property is triangularly shaped and surrounded by several major roadways. To the north is a State Highway Administration Ramp "A", which connects Belair Road (located to the east) and Whitmarsh Boulevard (located to the southwest). Because of this road network, the topography of the land and the size of the property, Mr. Thaler testified that a larger freestanding sign was warranted. He noted that the area is heavily commercial and that there are numerous other retail uses in the locale. Mr. Thaler opined that the sign would be appropriate with the surrounding locale and must be of the sign size proposed in order to direct motorists to the Sears location. Moreover, Mr. Thaler opined that the sign is attractive in appearance and blends in well with the existing building.

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Date

By

11/22/98
M. Gorb

During the course of his testimony, Mr. Thaler also noted that a new landscape plan is being submitted to Mr. Avery Hardin, the Landscape Architect, for consideration. Petitioner's Exhibit No. 2, the prior landscape plan which was approved, is being amended slightly. Among the amendments is the relocation of the sign so that same is 10 ft. closer to Belair Road. Apparently, the previous plan inaccurately indicated a 10 ft. street setback for the State Highway Administration which is not actually required.

As is well settled, a variance relief may be granted from the provisions of the BCZR upon the showing that a practical difficulty or undue hardship would exist if strict adherence is required. Moreover, the Petitioner must demonstrate that the relief granted is consistent with the spirit and intent of the BCZR and will not result in any detriment to the surrounding locale. In evaluating this case, it is worth observing that the sign regulations within the BCZR do not consider the area of a given site when regulating the amount of signage allowed. In this case, the site is relatively large (4.31 acres +/-), yet the same sign regulations which would govern a smaller site are applicable. The unique circumstances here include the fact that this site is virtually surrounded by major arterial public roads.

Based on these facts and the other testimony and evidence offered, I am persuaded that the Petitioner has satisfied the practical difficulty test. Moreover, due to the character of the locale, I do not believe that any detriment would result to the public welfare if the relief was granted. Lastly, the consistency in the design and architecture of the building and sign, as well as the extensive landscaping to be incorporated as shown on the plan, is convincing that the spirit and intent of the zoning regulations will be observed.

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Date 11/22/98
By M. G. Gosh

Thus, for the reasons noted hereinabove, I am persuaded to grant the relief requested. Moreover, as I observed at the hearing, the proposed sign fits comfortably with the size of the overall site and building proposed. If the site is constructed as shown on the site plan, it will be an attractive commercial use of the property and will not contribute to the urban sprawl and visual pollution which unfortunately exists on many of the arterial roadways in Baltimore County. To ensure that result, I will add a restriction which shall be considered as a condition precedent to the relief requested relating to temporary signage. In my view, temporary signage over and above what is shown on the plan will diminish the architectural appeal of the building and visually pollute the area. Thus, I shall add a restriction within my Order prohibiting the property owners from utilizing any outdoor advertising, other than the freestanding sign identified on the site plan and the signage attached to the facade of the building. That is, there will be no streamers, banners or other advertising displays exhibited anywhere on the property, other than set forth on the site plan. This restriction shall go into effect on the 31st day after the opening of the store, allowing the Petitioner an opportunity to publicize the business opening, employment opportunities and the like.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of November, 1994 that a variance from Section 413.2.F of the Baltimore County Zoning Regulations (BCZR) to permit a free standing double face sign with a total area of 144 sq. ft. (72 sq. ft. per face) in lieu of the maximum required 100 sq. ft., be and is hereby GRANT-

ORDER RECEIVED FOR FILING

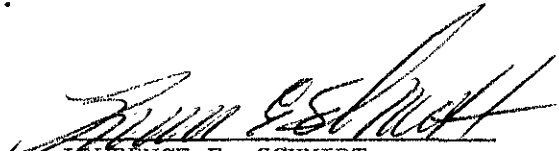
11/22/94

By

ED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall not allow, other than the freestanding sign identified on the site plan and the signage attached to the facade of the building, any streamers, banners or other advertising displays exhibited anywhere on the property. This restriction shall go into effect on the 31st day after the opening of the store, allowing the Petitioner an opportunity to publicize the business opening, employment opportunities and the like.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

ORDER RECEIVED FOR FILING

Date

11/25/98

By

M. Hovak

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 21, 1994

Jane E. Sheehan, Esquire
19th floor,
300 E. Lombard Street
Baltimore, Maryland 21202

RE: Case No. 95-116-A
Petition for Variance
Property: 8200 Belair Road,
Sears Homelife Furniture Store, Petitioner

Dear Ms. Sheehan:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

att.

cc: Mr. David S. Thaler
Mr. Thomas S. Stacey
Mr. Edward R. Agustin

WIC/3007-11 001-1



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

8200 Belair Road

95-116-H

which is presently zoned BM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 413.2(F)

requesting a variance to permit a freestanding, double face of total area 144 sq. ft. (72 sq. ft./face), in lieu of the maximum required 100 sq. ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Throughout the country Sears has a standard illuminated pylon sign that is 72 sq. ft. per face for a total of 144 sq. ft. These signs are mass produced and ready for delivery and installation. The requested increased size is consistent with other signs in the area. If Sears is required to install a smaller sign, it is doubtful that it could be manufactured and installed prior to the store opening; therefore, a loss in identification would result.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Project Mgr

Address

(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner:

Jane Sheehan

(Type or Print Name)

SEARS MERCHANDISE GROUP
DEPT. 8240, B2-245A
3333 BEVERLY RD. (708) 286-0922

Address

Phone No

Signature

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Thomas S. Stacey
W232 S7530 Big Bend Drive

Name

Big Bend, WI 53103

414/662-2664

Address

Phone No

City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: R.T. DATE 9-26-94



Printed with Soybean Ink
on Recycled Paper

ITEM # 114

Sears Homelife Furniture Store
White Marsh, MD

95-116-A

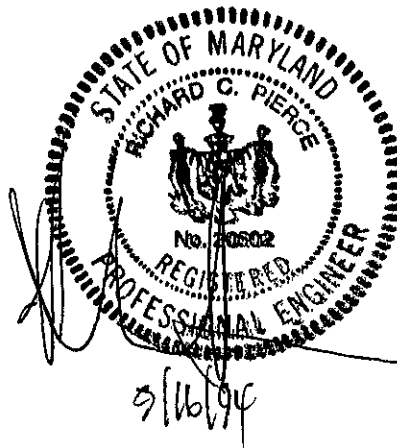
LEGAL DESCRIPTION

Pylon sign base is located as follows:

Beginning at the centerline Wholesale Club Drive proceed S 51° 19' 09" W 157.25' along the centerline of Belair Road. From the centerline of Belair road proceed N 52° 30' 41" W 68.58' to the point of beginning for the sign base. The sign base from the point of beginning is as follows:

Proceed in a north/ west direction 8.75', south/ west 8.75', south/ east 8.75', north/ east 8.75' back to the point of beginning. AREA = 76.56 SQ. FT

Also known as 8200 Belair Road, White Marsh, MD. and located in the 14th election district.



94010
9/16/94

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ITEM # 114

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-116-1A

District: _____

Date of Posting 10/15/84

Posted for: _____

Petitioner: _____

Location of property: _____

Location of Signs: Facing road, on property being zoned

Remarks: (No Pole used)

Posted by [Signature]

Signature

Date of return: 10/24/84

Number of Signs: 1

MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-116-A
(Item 114)

8200 Belair Road (Sears
HomeLife Furniture Store)
NW/8 Belair Road, 187.3
BW of of Wholesale Club
Drive

14th Election District
8th Councilmanic

Petitioner(s):

Sears Roebuck and
Company

Hearing: Tuesday,

November 1, 1994 at
10:00 a.m. in Rm. 118, Old
Courthouse.

Variance to permit a free-
standing, double-face of total
area 144 square feet (72
square feet/face) in lieu of the
maximum required 100 square
feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible; for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391,
10/122 Oct. 13.

CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct. 14, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct. 13, 1994.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

~~Signature~~

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Baltimore
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

9-26-94

75-116A

Account: R-001-6150

Number

114

R.T.

SANDERS

SEARS ROEBUCK & CO.

8200 BELLAIR RD, WHITE MARSH, MD.

020 — VARIANCE — \$ 250⁰⁰

080 — SIGN — \$ 35⁰⁰

TOTAL — \$ 285⁰⁰

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03A03#0352MICRC

\$285.00

8A COLD=48AM09 06 94

Please Make Checks Payable To: Baltimore County

POST BY 10-09-94

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



95-116-A

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: L 114

Petitioner: Sears Roebuck and Company

Location: 8200 Belair Road, White Marsh, MD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: PSI Design, Inc.

ADDRESS: W232 S7530 Big Bend Drive

Big Bend, WI 53103

PHONE NUMBER: 414/662-2664

AJ:ggs

(Revised 04/09/93)



Printed on Recycled Paper

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Baltimore County Government
Office of Zoning Administration
and Development Management



95-116-A

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCTOBER 7, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-116-A (Item 114)
8200 Belair Road -(Sears Homelife Furniture Store)
NW/S Belair Road, 157.3' SW of c/l Wholesale Club Drive
14th Election District - 6th Councilmanic
Petitioner(s): Sears Roebuck and Company
HEARING: TUESDAY, NOVEMBER 1, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a freestanding, double-face of total area 144 square feet (72 square feet/face) in lieu of the maximum required 100 square feet.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Sears Merchandise Group/Linda Sanders
Thomas S. Stacey
Jane Sheehan, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



RECEIVED

Baltimore County Government
Office of Zoning Administration
and Development Management

95-116-A



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCTOBER 18, 1994

NOTICE OF CHANGE IN HEARING TIME AND/OR LOCATION

BE ADVISED THAT THE BELOW-NOTED CASE WILL TAKE PLACE
ON THE SAME DATE AS PREVIOUSLY NOTIFIED, HOWEVER THE
TIME AND/OR THE LOCATION OF THE HEARING HAS BEEN
CHANGED AS INDICATED BY UNDERSCORING.

CASE NUMBER: 95-116-A (Item 114)
8200 Belair Road -(Sears Homelife Furniture Store)
NW/S Belair Road, 157.3' SW of c/l Wholesale Club Drive
14th Election District - 6th Councilmanic
Petitioner(s): Linda Sanders

HEARING: TUESDAY, NOVEMBER 1, 1994 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

CC: Sears Merchandise Group/Linda Sanders
Thomas S. Stacey
Jane Sheehan, Esq.

AJ:ggs

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Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCT. 24 1994

Jane Sheehan
300 East Lombard Street
Baltimore, Maryland 21202

Re:Item,#114 ,Case #95-116
Petitioner: Sears Merchandise Group

Dear Petitioner:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 26, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR:jaw

10/26/94



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: October 17, 1994
Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for October 17, 1994
Item No. 114

The Developers Engineering Section has reviewed the subject zoning item. The proposed sign's location, size and height conflicts with proposed landscaping in that area.

RWB:sw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 10/18/94

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 10/18/94

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

113
114
116
117
118
119
120
121
123
124

LS:sp

LETTY2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: October 11, 1994

SUBJECT: 8200 Belair Road

INFORMATION:

Item Number: 114

Petitioner: Sears Merchandise Group

Property Size: _____

Zoning: B.M.

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided, staff offers the following comment:

Without citing specific examples, this office has met with several major corporations regarding the installation of standard commercial signs. In our experience, service stations, auto makers and other companies having standard signs were able to provide alternative signage which complied with the Baltimore County Zoning Regulations.

In fairness to those industry leaders who readily found creative solutions, staff cannot support the applicant's request based on the stated hardship. In addition, the prominently sited Sears building located at the intersection of Belair Road and MD 43 will be improved with highly visible wall mounted signs.

However, should Sears agree to erect the standard sign on a temporary basis until such time as a conforming sign is produced, staff could support the relief requested for a reasonable time as established by the Zoning Commissioner.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Keller

PK/JL:lw

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 10/10/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION: DISTRIBUTION MEETING OF 10/11/94

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 113, 114, 116, 117, 119,
120, 121, 122 AND 123.

RECEIVED
OCT 11 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





*Maryland Department of Transportation
State Highway Administration*

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

10-7-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: +114 (RT)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

OCT. 07 1994

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

RE: PETITION FOR VARIANCE	*	BEFORE THE
8200 Belair Road (Sears Homelife		
Furniture Store) NW/S Belair Road,	*	ZONING COMMISSIONER
157.3' SW of c/l Wholesale Club Dr.		
14th Election District, 6th	*	OF BALTIMORE COUNTY
Councilmanic		
	*	CASE NO. 95-116-A
Linda Sanders		
Petitioner	*	

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of October, 1994, a copy of the foregoing Entry of Appearance was mailed to Jane Sheehan, Esquire, 300 E. Lombard Street, Baltimore, MD 21202, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Handwritten signature/initials

PSI Design, Inc.
Architects • Engineers • Planners

95-116-A
Project # : 94010

Project: SEARS - White Marsh

Date: 9/16/94

Transmittal

Company: Baltimore County Zoning

Address: 111 W. Chesapeake Ave.

City: Towson, MD 21204

To: Reg Tanguilig

We are sending you the following:

- | | |
|--|----------------------------------|
| <input type="checkbox"/> Plans | <input type="checkbox"/> Prints |
| <input type="checkbox"/> Specifications | <input type="checkbox"/> Samples |
| <input checked="" type="checkbox"/> Attached | |
| <input type="checkbox"/> | |

Being transmitted:

- | | | | |
|---------------------------------------|--|---|--|
| <input type="checkbox"/> As requested | <input checked="" type="checkbox"/> For approval | <input type="checkbox"/> Approved as is | <input type="checkbox"/> Approved as noted |
| <input type="checkbox"/> For your use | <input type="checkbox"/> For review | <input type="checkbox"/> Resubmit | <input type="checkbox"/> |
| <input type="checkbox"/> | | | |

Date	Copies	Description
	12	Plat Plans- signed and stamped
	3	Variance forms
	1	Check
	1	Zoning map
	3	Legal Description - signed and stamped
	1	Contextual photos

Comments:

Signed: Bob Vajgrt, AIA

cc:

W232 S7530 Big Bend Drive
P.O. Box 215
Big Bend, WI 53103
(414) 662-2664
Fax (414) 662-3667

MICROFILMED

ITEM # 114

4720-94

95-116-A

$\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{4}$

1. *Introduction*

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

COPY - 1

[illegible]

MICROFILMED

ITEM #114

WILLIAM SPANISH AMONIEWS & INCHENSOLE

300 EAST 10TH AVENUE
DENVER, CO. 80202

95-116A

September 23, 1994

SIR: (MILWAUKEE-2708)
AIR MAIL

Re: County Zoning Ordinance
1. 10th Avenue
2. 10th Avenue
3. 10th Avenue

And: 10th Avenue

1. 10th Avenue
2. 10th Avenue
3. 10th Avenue

Very truly yours,

I am writing you by telephone and letter on earlier this morning. The following would correct my perceived deficiencies in the Petition for Vandalism which was delivered to you on September 21, 1994.

1. The address and telephone number of Linda Sanders, Project Manager, is:

Linda Sanders
George Washington Group
Department 227, Bldg 244A
171. Beverly Road
Rolling Meadows, Illinois 60018
(708) 228-0912.

2. I have also had an authorized person from FBI Chicago, the person is authorized and signed by the FBI Chicago, in the Legal Division to (and by) sign over the actual area of such base (2.0, 16.56 sq. ft.). PLEASE NOTE THAT THE Pylon SIGN BASE IS BELOW THE SURFACE OF THE GROUND AND NOT VISIBLE.

It is my understanding that with the supplementary information provided by this letter, you are now in a position to proceed with

MICROFILMED

ITEM #114

WILLARD SPARKS, ATTORNEY & SHERIDAN

WISCONSIN 001-5200

ONE EIGHT-CLARK MALL

Baltimore County Mining Office

Attor Reg Tanguilig

September 23, 1991

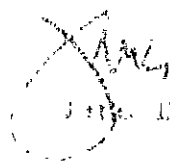
Page 2

95-116A

the processing of this petition for Variation. It for my reason
that is not an accurate view. Please promptly contact me at (410)
528-5698. Also, as I had mentioned to you in my letter of 21
letter. Sears is quite anxious to conclude this. And I was
wondering if you could advise me as to your sense without actual
obligation of the time it is likely to take.

Look forward to hearing from you.

Very truly yours,



John E. Sheridan

JB:111

cc: Thomas G. Stacey - Ref: 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

WILLARD SPARKS

MICROFILMED

ITEM#114

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95-116-A

Memo

TO: DIRECTOR, FBI
FROM: SAC, NEW YORK
SUBJECT: [illegible]

RE: [illegible]
DATE: [illegible]

[illegible text]

100-100000-100000-100000
100-100000-100000-100000
100-100000-100000-100000

MICROFILMED

ITEM # 114

LAW OFFICES

BALLARD SPAHR ANDREWS & INGERSOLL

300 EAST LOMBARD STREET, 19TH FLOOR
BALTIMORE, MARYLAND 21202-3268

410-528-5600
FAX 410-528-5650

PHILADELPHIA, PA
CAMDEN, NJ
DENVER, CO
SALT LAKE CITY, UT
WASHINGTON, DC

JANE ENNIS SHEEHAN
DIRECT DIAL 410-528-5626

95-116-A

September 21, 1994

VIA COURIER

Baltimore County Zoning Office
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attn: Reg Tanguilig

Re: Sears - White Marsh project
Petition for Variance - Signage
Property Location: 8200 Belair Road

Dear Mr. Tanguilig:

This firm represents Sears Roebuck and Company in connection with its White Marsh project.

As a follow-up to your meeting on September 13, 1994, at 9:00 a.m. with Tom Stacey, of PSI Design, Inc., the architects for Sears Roebuck and Company, we are enclosing herewith, in connection with the matters discussed between you and Mr. Stacey, the following -- all of which pertain to the Petition for Variance in order to permit Sears Roebuck and Company to utilize at this site its standard freestanding, doubleface sign:

12 Plat Plans - signed and stamped

Petition for Variance forms signed by appropriate individuals

\$285.00 check, made payable to Baltimore County

1 zoning map

3 legal descriptions - signed and stamped

contextual photos

ENCLOSURE

ITEM # 114

BALLARD SPAHR ANDREWS & INGERSOLL

VIA COURIER

Baltimore County Zoning Office

September 21, 1994

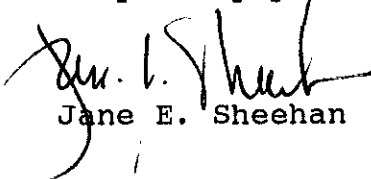
Page 2

95-116-A

It is my understanding from Mr. Stacey that all of the items discussed with you at the September 13, 1994, meeting in regard to this submission have been addressed in the enclosed package, and that you and Mr. Stacey arrived at the mutual conclusion that the best way to proceed was to have the revised variance package couriered to your attention.

If you have any questions, comments or concerns of whatever nature in regard to the enclosures, or the processing of this Petition for Variance, please promptly contact the undersigned at 410-528-5626. If for whatever reason the undersigned is unavailable in a timely manner, please promptly contact Thomas S. Stacey at PSI Design, Inc., at 414-662-2664. Time has become of the essence for Sears in regard to the signage, and your assistance will be greatly appreciated.

Very truly yours,


Jane E. Sheehan

JES:tlc

cc: Thomas S. Stacey - PSI Design, Inc.

K:\JES\CL1\65794.1

MICROFILMED

ITEM # 114

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JANE E. Sheehan

1944 FLOON
300 E. Lombard Street Balto. 21202

DAVID THALER

7115 AMBASSADOR RD

THOMAS S. Stacey

BALT MD 21244

EDWARD R AGUSTIN

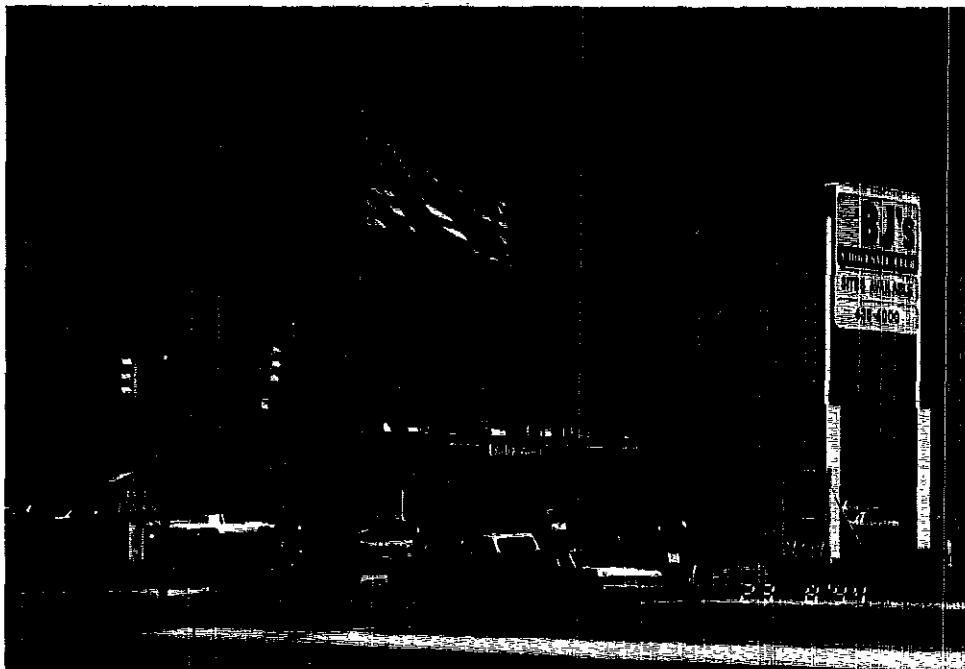
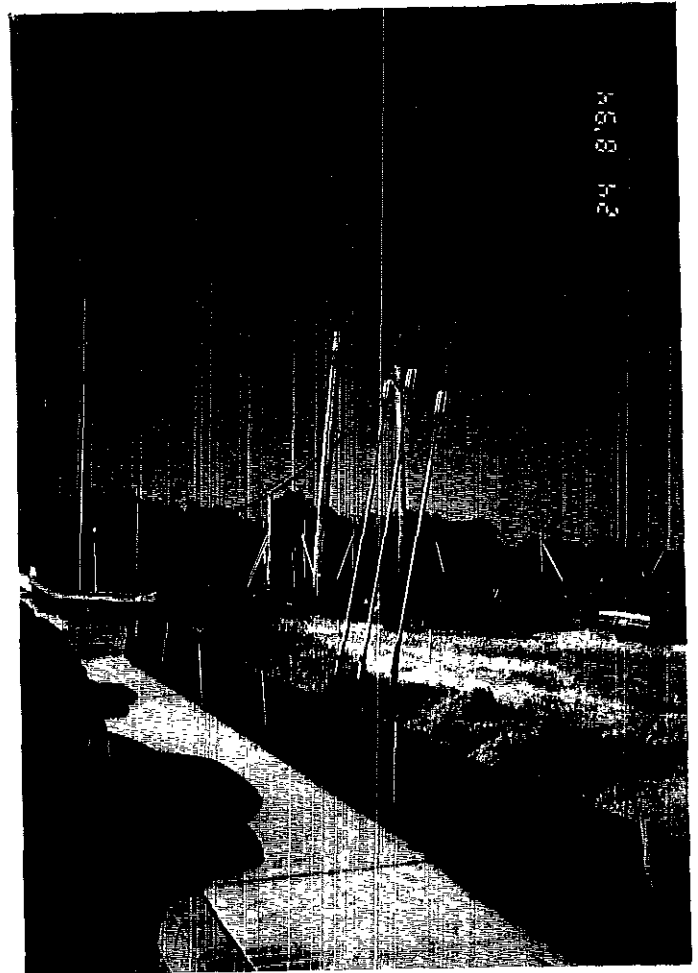
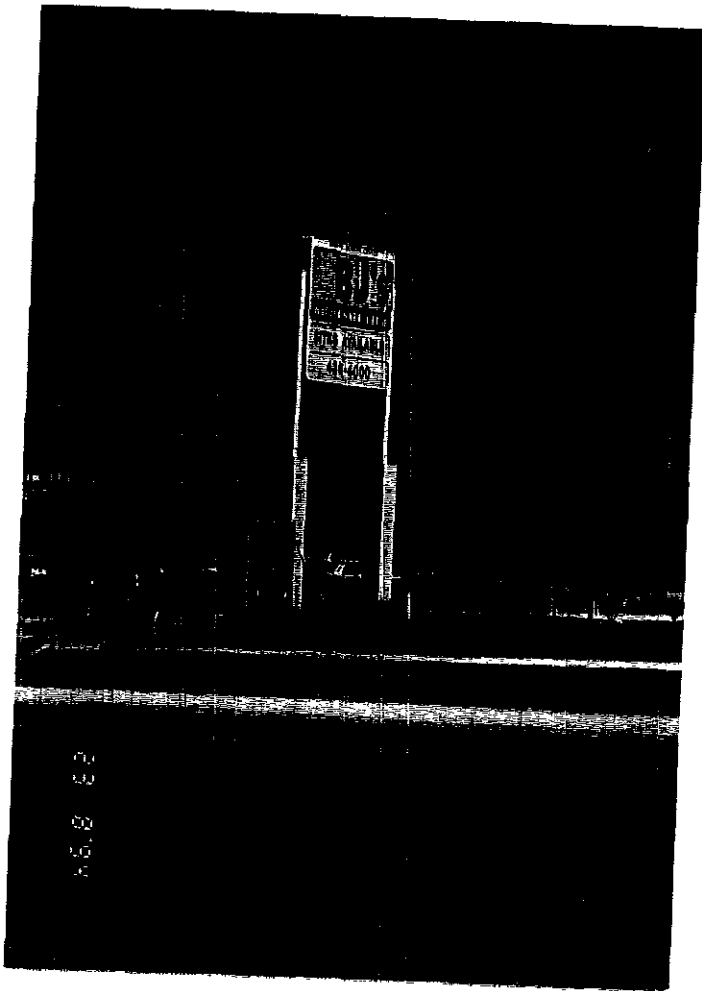
W. 232 S. T530 Big Bend Dr., Big Bend

3333 BEAVERLY RD
HOFFMAN ESTATES IL. 60179

WI 53103



95-116-A



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 16, 1994

Mr. T. Kevin Carney
Cabrago Limited Partnership
10705 Charter Drive - Suite 450
Columbia, MD 21044

Subject: APPROVED CRG PLAN - Signed 3/2/94 - ZADM #II-403 - 2C3
Lyonsfield Run fka Kent-Mar, Revision SW of Watts Rd

Dear Mr. Carney:

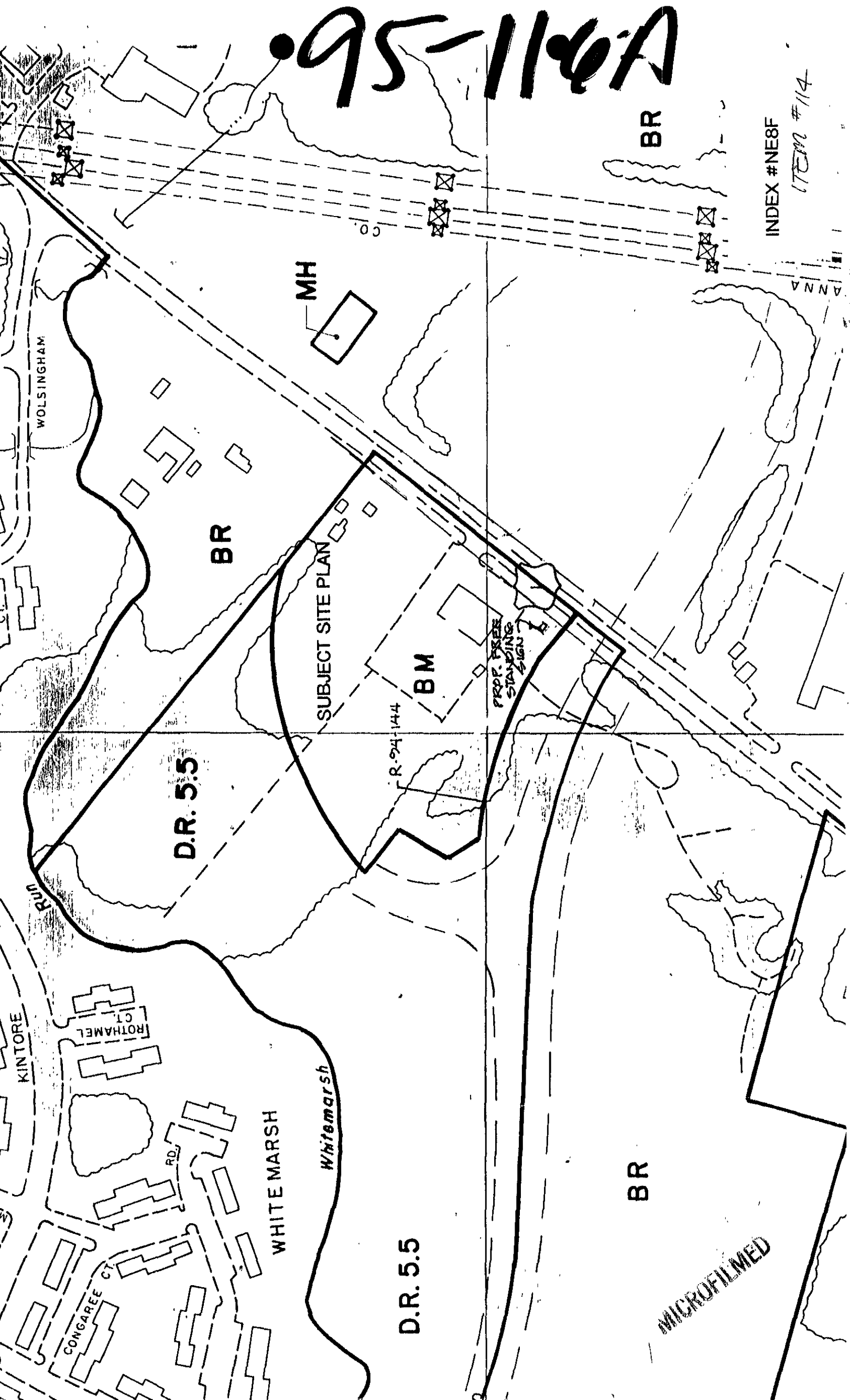
Enclosed you will find a copy of the approved, signed Development Plan for your files on the above referenced project. Please note that one (1) additional copy is being forwarded to the engineer to be used as a PWA mark-up plan, if applicable, showing all required Public Works improvements.

This development proposal may be further processed in accordance with the following:

- An introductory meeting may be scheduled through this office to establish time frames for the submission, review and approval of all Phase II plans.
- A certified or cashier's check in the amount of \$52,937.00, made payable to Baltimore County, MD, must be forwarded to this office to cover processing of the Public Works Agreement and processing of construction and right-of-way drawings up to the contract phase.
- Our records indicate that a Public Works Agreement fee of \$5,294.00 was paid on 11/20/93, therefore, \$47,643.00 is still due for this project.
- A Public Works Agreement (PWA) must be prepared by your consultant in accordance with the Baltimore County PWA Procedures Manual. This manual and related forms will be distributed at the Introductory Meeting or may be obtained by contacting this office. Refer to this manual for PWA submittal requirements. Incomplete submittals will not be accepted. Note that a certified or cashier's check for \$300 must be submitted along with the PWA to cover right of way title search fees.
- Upon execution of the Public Works Agreement, the Final Plat may be processed for recording.



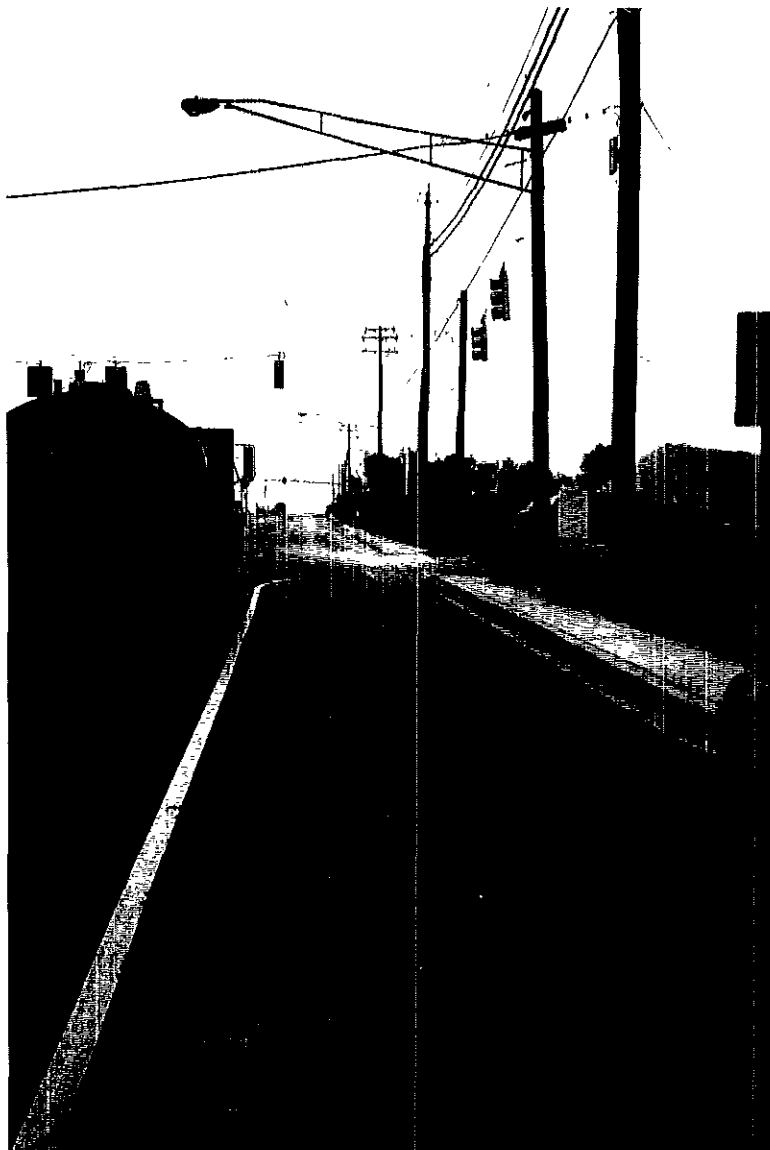
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PETITIONER'S EXHIBITS



3C



3D



3A

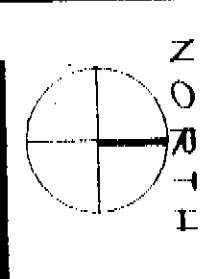
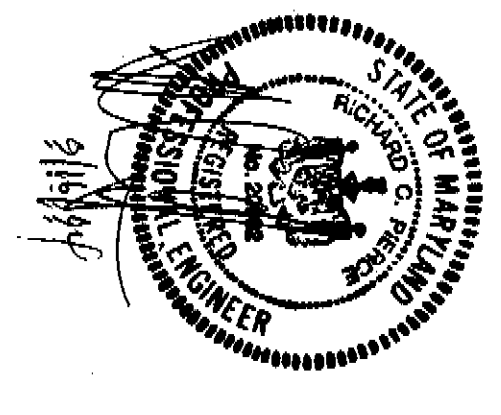


3B

4100 S. 2700 36 3rd Ave
PO Box 275
PO Box W 5303
4141 662 2604
4141 662 2604
4141 662 2604

ISSUE	
NO.	DATE
1	9/16/94
VARIANCE SUBMITTAL	

95-116-A



HOME LIFE
A FURNITURE STORE by SEARS
OWNER: ROBERT J. & COMPANY
3333 BEVELLY ROAD
HOFFMAN ESTATES, IL 60079

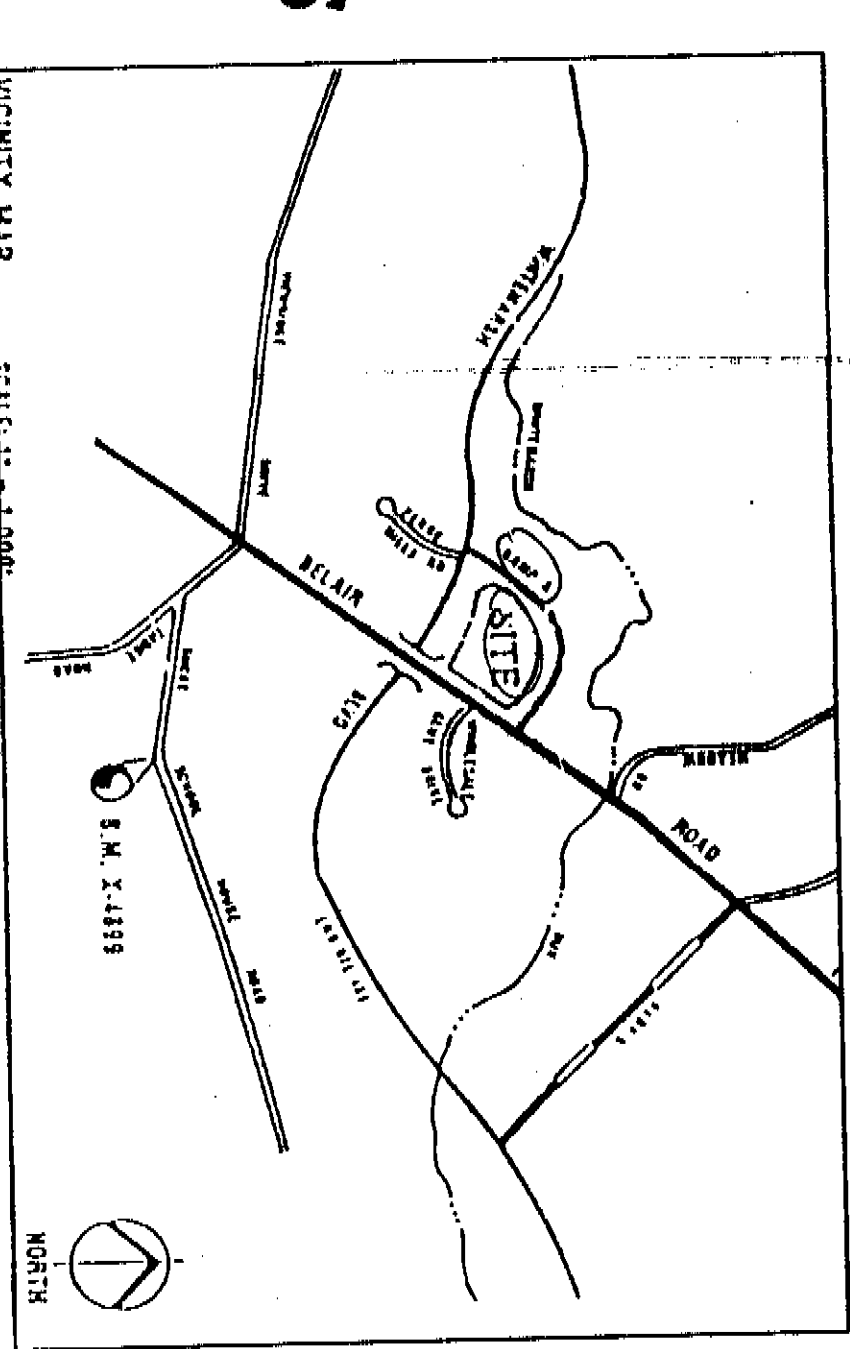
PROJECT:
SEARS HOMELIFE
8200 BELAIR ROAD
WHITE MARSH, MD

MICROFILMED

JOB NUMBER: 94-02
PLAT PLAN
ITEM # 114

SCALE: 1" = 30'-0"
DRAWN BY: S.A.V.
CHECKED BY: V-1

GENERAL INFORMATION	
ELECTION DISTRICT	14
COUNTY COUNCIL DISTRICT	6
GROSS ACREAGE	435 ACRES/180,958 SQFT
NET ACREAGE	431 ACRES/181,144 SQFT
EXISTING ZONING (MAP 114)	EXISTING BH
FLOOR AREA RATIO	
PROPOSED	4.0 = 686,505 SQFT
ALLOWED	0.21 = 38,000 SQFT
PARCEL / DEED / TAX ACCOUNT NO.	14-04-05860
358	9439/353
MD SHA EXISTING LAND	14-21-025075
44518	PLAT 4358
44519	PLAT 4358
PARKING	REQUIRED: 251,000 SQFT + 92 SPACES PROVIDED: 161 (INCLUDES 8 MC SPACES)
REGULATORY HEARINGS ON SITE	
PROPOSED RECLASSIFIED R-94.144 ON 8/11/94 FROM D-95 TO BH	



PETITIONER'S
EXHIBIT No. 1

PLAN TO ACCOMPANY SIGN VARIANCE HEARING

